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MAR 15 2016	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
BY	DEPUTY

1 Robert Hernandez McDonald Jr.  
 2 535 S Grand St.  
 3 Mesa, Arizona 85210  
 Pro-Se

4 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

5 PHOENIX DIVISION

6 CV-16-00698-PHX-ROS

7 Robert Hernandez McDonald Jr., ) Civil Action No.:  
 8 Plaintiff, )  
 vs. )  
 10 Experian Information Solutions, Inc., )  
 11 Defendant )  
 \_\_\_\_\_ )

13 Plaintiff Robert Hernandez McDonald Jr. alleges as follows:

14 The Parties

16 1. At all times herein after mentioned, plaintiff is and was a  
 17 resident of Mesa, Arizona.

18 2. Plaintiff is a victim of identity theft.

19 2. Defendant, Experian Information Solutions, is a corporation  
 20 incorporated under the laws of California and having a main  
 office at 475 Anton Boulevard Costa Mesa, CA 92626.

21 3. Defendant, Experian Information Solutions, Inc., is  
 22 registered with the Arizona Corporation Commission as a Foreign  
 23 Corporation doing business in Arizona and has designated a  
 24 registered agent: CT Corporation System 3800 N Central Ave Suite  
 460 Phoenix, AZ 85012.

25 Jurisdiction

26 4. The Court has jurisdiction over this action pursuant to 15  
 27 U.S.C. § 1681 et seq., the "Fair Credit Reporting Act (FCRA) and  
 28 15 U.S.C. §§ 1692-1692p, the "Fair Debt Collection Practices  
 Act."

1 Defendant's Statutory Violations

2 5. The Defendant is reporting derogatory information about  
3 Plaintiff to one or more consumer reporting agencies (credit  
bureaus) as defined by 15 U.S.C. § 1681a.

4 6. Plaintiff has disputed the accuracy of the derogatory  
5 information reported by the Defendant to the Consumer Reporting  
6 Agency Experian on four separate occasions via certified mail.  
See attachments.

7 7. Defendant has not responded to Plaintiff's four letters of  
8 dispute by providing evidence of the alleged debt to Plaintiff  
9 nor to the Consumer Reporting Agency Experian.

10 8. Defendant has not provided notice of this disputed matter to  
11 the credit bureaus and is therefore in violation of 15 U.S.C. §  
1681s-2 which requires this notice.

12 9. Defendant has failed to comply with 15 U.S.C. § 1692g in that  
13 it has not within 5 days of Plaintiff's initial communication  
14 (nor at any other time) sent Plaintiff written documentation of  
15 the amount of the debt, the name of the original creditor nor  
other information required by the Fair Credit Reporting Act.

16 10. Defendant has failed to complete an investigation of  
17 Plaintiff's written dispute and provide the results of an  
investigation to Plaintiff within the 30 day period as required  
18 by 15 U.S.C. § 1681s-2.

19 11. Defendant has not notified Plaintiff of any determination  
20 that Plaintiff's dispute is frivolous within the 5 days required  
by 15 U.S.C. § 1681s-2, nor at any other time.

21 12. Defendant has placed the following information on  
22 Plaintiff's credit bureau: Account Information Disputed by  
23 Consumer, Meets FCRA requirements.

24 13. Defendant states on disputed items the item remains  
unchanged from the processing of your dispute on Month/Year.  
25 Defendant still reports inaccurate data after acknowledging that  
26 the dispute meets FCRA requirements.

27 14. Defendant refuses to acknowledge that personal information  
28 listed such as address are incorrect and does not remove them  
citing that because the plaintiff allegedly received mail or

1 Plaintiff seeks a reasonable and fair judgment against defendant  
2 for willful noncompliance of the Fair Credit Reporting Act and  
3 seeks his statutory remedies as defined by 15 U.S.C. § 1681n and  
demands:

4 \$1,000 for actual damages

5 \$25,000 in punitive damages

6 Permanent injunction against the Defendant from reporting  
7 derogatory information about Plaintiff to Consumer Reporting  
8 Agencies (credit bureaus)

9 Permanent injunction against Defendant for selling this alleged  
10 debt to any other party

11 Any further relief, which the court may, deem appropriate.

12 Respectfully Submitted,

13 Dated this 11 of March, 2016

15  
16   
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